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**THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

In Re the Application of:

CASE NO: 2:23-cv-1712

Dale Harvey,

Petitioner/Plaintiff,

DECLARATION OF:
LYNDA HARTNESS

v.

Garann Rose Means

Respondent/ Defendant

My name is Lynda Hartness. I am over 18 years of age and base this declaration upon personal knowledge of the facts.

I am the Head of Sandy Road Day Nursery, Glasgow. I have been asked to submit my response to the following questions regarding the child E██████H██████-M██████, ("EHM") born in 2019

1. When the child started attending and general attendance record:

EHM started in Sandy Road on 23/08/2021.

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4 2. The school/nursery's relationship with each parent, levels of engagement etc:

6 Both Garann Means and Dale Harvey communicate any absences with the nursery.

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10 3. The child's presentation and demeanour in school/nursery:

12 EHM is always well presented on arrival at nursery, she is always appropriately dressed.

14 While in nursery EHM is a quiet natured child, who can appear to have a somewhat serious
16 nature. EHM is a clever child who is happy to share her news and stories with the familiar
18 staff in the nursery playroom. She was also beginning to make friends within her peer
20 group, and would often seek other children who are similar to her in nature.

22 On 04/09/2023: EHM was brought to nursery by Garann Means, Garann left EHM in the
24 playroom but before leaving the nursery building Garann returned to the playroom and
26 decided to take EHM home, she explained EHM did not want to be in the nursery, the staff
28 member who observed EHM explained EHM did not appear to be upset.
30

32 4. Any knowledge of injuries or suspected other mistreatment by either parent:

34 No, however, on 14/03/2023: EHM approached a member of staff in the playroom and said
36 'I have two sores on my shoulders so I have to keep my cardigan on'. The staff member
38 asked 'have you hurt your shoulders?'. EHM replied 'no the dog did' the member of staff
40 then asked 'who told you to keep your cardigan on?'. 'My mummy' was the response.
42 When she returned to nursery to collect EHM this conversation was discussed with Garann
44 Means, who explained EHM had received two vaccinations whilst at the GP.
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50 5. Any concerns over quality of care by either parent:

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4 No, however, on 22/03/2023: nursery received a phone call from Partick Social Work
6 Department explaining Dale Harvey had made a social work referral regarding EHM. The
8 social worker asked if we in nursery had noticed any changes in EHM. We advised that we
10 had not noticed any changes in EHM and we did not have any concerns.

12 On 31/03/2023: I received a message from Dale Harvey explaining EHM would be absent
14 on this day as she had a runny nose. Later the same day, I received a phone call from
16 Garann Means asking whether EHM was at nursery. I explained the above. Garann Means
18 claimed this was untrue. Garann Means then emailed me requesting a copy of the
20 parent/carer sign in/out nursery sheet as EHM "was due to be returned to my care today
22 and her dad has kept her out of nursery to stop that, and the sign in/out sheet will provide
24 confirmation to the court that this is meant to be my weekend with her" [and her sister]. I
26 sent a copy of what was on the sign in/out sheet via email to Garann Means (only the part
28 with EHM's name recorded on it).
30

32 6. Any knowledge of the child appearing distressed/upset having been dropped off by either
34 parent:

36 No, however on 28/09/22: I received an email from Dale Harvey explaining his mother
38 Alison (parental grandmother), would be collecting EHM on this day and they would be
40 staying at his home as he was working away.

42 Garann brought EHM to nursery and shared with me she would be collecting EHM on this
44 day as Dale Harvey was out of the country and EHM did not want to go to her dad's house
46 with her parental grandmother. Garann explained she would collect EHM early from
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4 nursery, she asked that I contact her if the parental grandmother came to collect EHM
6 before she arrived to collect her.

8 Parental Grandmother came to collect EHM, I explained the above conversation that had
10 taken place with Garann. Parental Grandmother said she would wait while I made the
12 phone call to Garann. Garann also came to nursery to collect EHM.

14 I spoke with EHM and asked if she would like to her dad's house with her Gran'or to her
16 mum's house with her mum, EHM said she would like to go with her gran to her dad's
18 house.

20 When I shared this conversation with Garann Means, Garann Means then asked EHM if
22 she would like to go to her house. EHM changed her mind and said she wanted to go home
24 with her mum.

26 Garann Means and EHM then left the nursery, but both returned within a few minutes,
28 Garann Means explained EHM had changed her mind and wanted to go with her gran.
30 Garann Means was crying when she left the nursery.

32 23/08/2023: Garann Means sent a message via text to nursery to say EHM was unwell and
34 would not be attending nursery today.

36 Prior to receiving this message from Garann Means, Dale Harvey contacted me and
38 explained his mother would collect EHM.

40 I contacted Garann Means and asked if she had contacted Dale Harvey and explained about
42 EHM's absence. Garann explained she had shared the information with Dale Harvey.

44 24/08/2023: I received a message via group call from Garann Means it stated: Espe will be
46 absent the rest of the week. Her father has threatened that she will be taken out of nursery
48 by her paternal grandmother again, and she is afraid to attend'. I attempted contact with
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4 the family Health Visitor and with Garann Means. Garann Means called me back and I
6 explained: 'I am concerned about Espe being scared to come to nursery'. Garann asked in
8 what way was I concerned. I explained I was concerned to hear that EHM was scared.
10 Garann Means explained the following:

- 12 • She had received a text from Dale Harvey (23/08/23) to explain EHM was unwell
14 and would not be going to nursery.
- 16 • It was at this point she realised Dale was out of the country, and that he wanted the
18 children to stay with their paternal grandmother.
- 20 • She explained EHM was afraid to come to nursery because her gran may come and
22 take her away.
- 24 • She then said 'they are trying to get me thrown in jail', as she had received a letter
26 from Dale's lawyer and there was legal proceedings starting.
- 28 • She explained she did not know when/how Dale would get/collect the children.
- 30 • She could not say if EHM would return to nursery next week as 'I can't predict the
32 future'
- 34
- 36

38 7. Any knowledge of the child appearing distressed/upset at the prospect of being picked up
40 by either parent:

42 No

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46 8. Whether the school/nursery was told in advance that the child would be leaving the
48 country:
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4 No: On Monday 2/10/23 nursery received a message from Garann Means stating that EHM
6 had been ill and throwing up this morning, so she would stay home today and tomorrow.
8

10 9. How the school/nursery was made aware that the child was no longer in Scotland:

12 I received a phone call from Dale Harvey who explained the following: he had received an
14 email from Garann Means who told him she had taken EHM and her sister to America. He
16 went on to say the children had been kidnapped and that he would contact his lawyer.
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30 I declare under penalty of perjury under the laws of the State of Washington that the foregoing is
32 true and correct.
34

36 Signed this 29th day of November, 2023, at Glasgow (city),
38 Scotland (State, if applicable and country)

40 LYNDA HARTNESS
42

44 Name: Lynch Hartness
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Declaration